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IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH - CENTRAL DIVISION

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RICHARD BONE  
Plaintiff,

vs.

NORTHROP GRUMMAN SYSTEMS and  
UNUM PROVIDENT CORPORATION  
Defendants.

**MEMORANDUM DECISION AND  
ORDER**

Case No. 2:06-CV-0451

Judge Dee Benson

Before the Court is Defendant Unum Provident Corporation's motion for summary judgment, seeking the dismissal of each of Mr. Bone's claims. Based on the plain language of the Confidential Separation Agreement and General Release (the "Release") entered into by Unum Provident and Mr. Bone on February 6, 2003, the Court GRANTS Unum Provident's motion and hereby dismisses each of Mr. Bone's claims with prejudice.

In reaching its decision, the Court considered each of the factors constituting the circumstances and conditions under which Mr. Bone executed the Release and finds that the Release was knowing and voluntary and is therefore binding on Mr. Bone. Torres v. Public Serv. Co., 908 F.2d 687, 689-90 (10th Cir. 1990). By executing the Release, Mr. Bone waived and released all claims against Northrop Grumman's employee benefit plans.

IT IS SO ORDERED.

DATED this 20<sup>th</sup> day of August, 2007.

  
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Dee Benson  
United States District Judge